



COMMONWEALTH of VIRGINIA
Office of the Attorney General
Richmond 23219

Jerry W. Kilgore
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
804-371-8947 TDD

April 1, 2003

The Honorable Robert G. Burnley, Director
Department of Environmental Quality
Commonwealth of Virginia
629 East Main Street
Richmond, Virginia 23219

Re: Proposed Amendment to Regulations Concerning Emissions
Trading, Virginia NOx Budget Trading Program
(9 VAC Chapter 140, Rev. H02)

Dear Mr. Burnley:

I have reviewed the above-referenced proposed regulation amendments, as posted on the Virginia Regulatory Town Hall site.

It is my view that the State Air Pollution Control Board possesses statutory authority to promulgate the above-referenced proposed regulation amendments.

Sincerely,

Carl Josephson
Assistant Attorney General